



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER 07/1447704	FILING DATE 01/12/88	FIRST NAMED APPLICANT CIECK	ATTORNEY DOCKET NO. F C-391
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PETER VRAHOTES 50-01  
FITNEY BOWES INC., WORLD HEADQUARTERS  
STAMFORD, CT 06926-0700

EXAMINER MILLER JR, G	
ART UNIT 216	PAPER NUMBER SF21

DATE MAILED: 04/29/88

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 1/2/88  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1.  Notice of References Cited by Examiner, PTO-892. 2.  Notice re Patent Drawing, PTO-948.  
3.  Notice of Art Cited by Applicant, PTO-1449 4.  Notice of informal Patent Application, Form PTO-152  
5.  Information on How to Effect Drawing Changes, PTO-1474 6.

Part II SUMMARY OF ACTION

1.  Claims 1, 5, 6, 8, 11-14, 16, 20, 21 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1, 5, 6, 8, 11-14, 16, 20, 21 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.

8.  Allowable subject matter having been indicated, formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. These drawings are  acceptable;  not acceptable (see explanation).

10.  The  proposed drawing correction and/or the  proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner.  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved.  disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set forth on the attached letter "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.

12.  Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless-

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 5, 6, 12, 8, 14, 11, 13, 16, 20 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamada.

Figures 7 and 13 of Yamada disclose a smoothing of the edges of intermeshing different size dots.

2. Applicant's arguments filed January 12, 1988 have been fully considered but they are not deemed to be persuasive.

Both Figures 7 and 13 of Yamada disclose a smoothing of the edges by intermeshing different size dots, especially the upper part of the number "1" in Figure 13. Consider how rough (less smooth) the outline would be if the same size larger dots were used in the upper part of the number 1.

Please note on page 3 of the decision by the Board that, "we consider Fig. 7 of Yamada to teach one method of making the edges of a character "smoothed" by intermeshing dot sizes within the scope of the claims.".

Therefore, I do not believe that the Board's statement about the lack of the term "intermeshing" means that by amending the claims to include the term would make the claims allowable as stated by the applicants.

3. This is a continuation of applicant's earlier application S.N. 06/472,559. All rejected claims are

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drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds or art of record in the next Office action if they had been entered in the earlier application.

Accordingly, THIS ACTION IS MADE FINAL even though it is a first action in this case. See MPEP 706.07(b).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). The practice of automatically extending the shortened statutory period an additional month upon the filing of a timely first response to a final rejection has been discontinued by the Office. See 1021 TMOG 35.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 CFR 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Miller/vsh

(703) 557-5080

04-21-88

  
GEORGE H. MILLER, JR.  
SENIOR PRIMARY EXAMINER  
ART UNIT 216

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